

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

James A. Souder,
and
Lana J. Souder

plaintiffs

vs.

C.A. No.: 05-780

Alabama Motor Express, Inc.
and
Eric M. Brion

defendants

PLAINTIFF, JAMES A. SOUDER'S ANSWERS TO
DEFENDANTS' INTERROGATORIES

1. James Souder
ssn: 173-48-9032
d/o/b: 7/5/57

234 Chestnut Street
Sunbury, PA 17801

RR1 Box 248 E
Sunbury, PA 17801

Disabled since an injury in 1993 in which Mr. Souder suffered a spinal cord injury resulting in incomplete quadriplegia.

2. On July 3, 2003, the defendant, Eric M. Brion, was the operator of a tractor-trailer combination, owned by the defendant, Alabama Motor Express, Inc., which was traveling in the left-hand lane of southbound Route 896 in Glasgow, Delaware when it slammed into the rear of the plaintiff's car.

As a result of this wreck the plaintiff dislocated his shoulder, injured his knee, neck and back. The crash has also disrupted the plaintiff's already compromised autonomic nervous system, (from the 1993 injury) causing the inability to eat solid food, as well as wild blood pressure swings.

3. Yes. The driver, Eric M. Brion, approached Mr. Souder in his car and told him help was coming. Mr. Brion asked Mr. Souder about his dislocated shoulder and pulled Mr. Souder's arm to put the shoulder back in its socket.
4. As to eye witnesses to the wreck, please refer to the police report. As to any other witnesses to be called at trial,
 - a. James A. Souder
 - b. Lana J. Souder
 - c. James A. Souder, II
 - d. Michelle Souder
 - e. Heather Souder
 - f. Brittany Souder
 - g. Eric Brion
 - h. DE Trooper Lafferty
(Badge # 3371)
 - i. Guy W. Fried, M.D.
 - j. Brian Batman, M.D.
 - k. Phillip Pellitieri, M.D.
 - l. Daniel D. Feldman, M.D.
 - m. Lewisburg Radiology,
custodian of records
 - n. Evangelical Community Hosp.
custodian of records
 - o. Geisinger Medical Center
custodian of records
 - p. Phoenix Rehab. and Health Services

custodian of records

q. Apalachian Physical Therapy
custodian of records

5. No.
6. See photographs and police report previously supplied.
7. The plaintiffs have not retained any expert witnesses to date. The plaintiffs intend to call all of the plaintiff's medical providers to testify in accordance with the records previously produced, or to be produced as treatment continues and the litigation progresses.
8. As a result of this wreck the plaintiff dislocated his right shoulder, ultimately undergoing an unsuccessful attempt at surgical repair.

He also tore the meniscus of his knee. He is not considered a surgical candidate at present due to difficulties with the administration of anesthesia and blood pressure swings during physical therapy. Mr. Souder also suffered a disruption of autonomic nervous system, causing the inability to swallow solid food.

Please refer to the plaintiff's medical records for additional information in response to this Interrogatory.

9. Extreme pain, difficulty dressing, bathing and caring for myself as well as before the wreck, loss of the ability to swallow solid food, loss of the enjoyment of daily sustenance, weight loss, difficulty walking, driving, doing the many activities I try to complete each day.
10. Yes. My physicians have advised me that my injuries are permanent.
11. Dr. Muhammad Munir, Shamokin Dam, PA
Dr. Guy Fried, Magee Rehab. Phila., PA

12. Lewisburg Radiology Billing
7/7/03 \$75.00

Evangelical Community Hosp.
ER 7/7/03 \$500.69

Guy W. Fried, M.D.
7/15/03; 9/11/03; 11/03/03; 1/5/04; 2/20/04; 3/17/05

Brian Batman. M.D. (ortho.) 7/21/03; 8/5/03; 9/4/03; 10/6/03	\$479.00
Phillip Pellitieri, M.D. (otolaryngology) 8/6/03 diagnostic laryngoscopy; 9/8/03; 9/11/03	\$632.00
Geisinger Medical Center Out-patient shoulder athroscopy, 2/4/04	\$9,832.84
Phoenix Rehab. and Health Services 2/16/04 - 5/18/04	\$1,500.00
Geisinger Health System 3/6/04 ER (discharge sheet only)	
Appalachian Physical Therapy To be supplied.	

The plaintiff remains under various physician's care for the injuries sustained in this incident. Updated records have been requested from all of the above named medical providers and will be supplied as they become available.

13. Yes. At this point, periodic follow up visits with Dr. Fried and Dr. Pellitieri, but Mr. Souder is still hoping to have his injured knee surgically repaired.
14. 1978, passenger in tractor trailer collision. Fractured odontoid, but able to return to work within 6 months. Received treatment at Hershey Medical Center.

1993 motor vehicle accident resulting in aggravation of previous odontoid fracture and incomplete quadriplegia. Received treatment at Magee Medical Center, Phila., PA
15. Following the 1978 injury there was litigation in Illinois. The claim was settled prior to trial.

Following the 1993 auto accident, there was litigation in North Hampton County, Pa., which also settled prior to trial.
16. No.
17. No wage loss claim is being presented, since I was disabled as result of 1993 injury, but after retraining was able to drive, walk etc.

Since this injury, I have difficulty walking, eating, dressing etc., and have also been very depressed.

18. No claim for loss of earnings is being made.
19. I have incurred prescription expenses, medical expenses, and transportation expenses for doctor appointments. Itemized records will be supplied.
20. See responses to number 14 and 15.
21. No.
22. I had minimum Pa PIP limits of \$5,000, which has been paid. Additional medical expenses have been paid by Medicare and my wife's Blue Cross/ Blue Shield plan. Detailed payment records have been requested and will be supplied as they become available.
23. No.
24. Pa Driver No. 17754271
Expiration date: 7/5/05

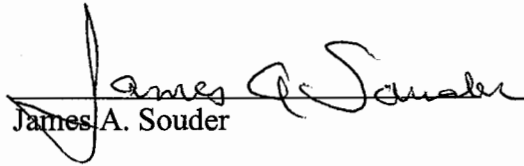
Law Offices of David B. Winkler, P.C.

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VERIFICATION

James A. Souder hereby states that he is the plaintiff in this matter, and verifies that the statements in the foregoing Answers to Interrogatories are true and correct to the best of his knowledge, information and belief.


James A. Souder